IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 1622 of 2005

Between:

Smt. S. Thamimuneesa, W/o. P. Rasool Khan @ Rakesh,
R/o. 4-30(1), Post Office, St. Bangarupalyam, Chittoor District.

..... PETITIONER

AND

1 The Commissioner, Tirupathi Municipality, Tirupathi, Chittoor District.
2 The Director of municipalities, Government of A.P., Hyderabad
3 The Government of A.P., rep. by its Secretary, Municipal Administration, Hyd.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue a writ of mandamus declaring the action respondents in not disposing of the representation filed by the petitioner dt. 2.12.2004 as illegal, improper, unjsut, arbitrary and contrary to law and further direct respondents to take action on the representation of the petitioner dt. 2.12.2004 by conducting a detailed enquiry immediately and pass such other order or orders in the interest of justice.

Counsel for the Petitioner: MR.K.G.KRISHNA MURTHY

Counsel for the Respondents: Government Pleader for Municipal Administration and Rural Development.

This Court at the admission stage made the following :

O R D E R:

The petitioner states that she is the legally wedded wife of one P. Rasool Khan @ Rakesh, who is working as PH Masthry in the first respondent-Municipality. It is alleged that he has married a woman by name P. Mumtaz while the marriage with the petitioner is subsisting, and therefore, the petitioner made a representation before the first respondent requesting to take appropriate action against him. This writ petition is filed aggrieved by the alleged inaction on the part of the first respondent in initiating appropriate action against Mr. P. Rasool Khan @ Rakesh.

Apparently, the relief sought by the petitioner relates to the service of the husband of the petitioner who is working in the first respondent-Municipality. Therefore, the appropriate remedy is to approach the Andhra Pradesh Administrative Tribunal. Without exhausting the said remedy the petitioner cannot maintain this writ petition.

Accordingly, granting leave and liberty the writ petition is

dismissed. No costs.

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(**G. ROHINI, J**)

Date: 16-03-2005

ghn

To

1 The Commissioner, Tirupathi Municipality, Tirupathi, Chittoor District.
2 The Director of municipalities, Government of A.P., Hyderabad
3 The Government of A.P., rep. by its Secretary, Municipal Administration, Hyd.

4 Two CCs to the Government Pleader for Municipal Administration and Rural Development, High Court of A.P., Hyderabad. (O.U.T.).

5 Two CD copies.